(43)

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 4905/2007

Petitioner		Bedram Jangde, aged about 47 years, son of Late Maniram Jangde, working as Superintendent Pre-Matric Anusuchit Jati Balak Chhatrawas, Adhbhar, vikas Khand, Malkharoda, District-Janjgir Champa(CG)
		Versus
RESPONDENTS	1	State of Chhattisgarh, Through: It's Secretary, Department of Tribal Welfare Mantralaya, Raipur (CG)
	2.	The Collector, District Janjgir Champa(CG)
	3.	The Assistant Commissioner, Department of Tribal Welfare, District Janjgir Champa(CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri U.R.Koshley, counsel for the petitioner.

Shri A.S.Kachhawaha, G.A. for the State on advance copy.

ORAL ORDER
(27.8.2007)

Sunil Kumar Sinha, J.

Heard.

Shri Koshaley submits that the petitioner, who is presently working at Chhatrawas Adhbhar, District-Janjgir Champa, has been transferred from the said place to Primary School Siliyari, Vikas Khand Pali, District Korba. His submission is that the petitioner was posted there since 7.7.2006 and within 1 year i.e. on 7.7.2007, he has been transferred from the said place. He also submits that the mother of the petitioner is widow and if the transfer order is effected, it shall be difficult for the petitioner to manage for his mother.

Needless to say that these are not the grounds for the Court of law to interfere with the order of transfer passed by the competent authority. These grounds are to be considered by the employer itself. Unless the order is shown to be vitiated by malafides, extraneous considerations or against the Rules or the Act, the Courts are not required to interfere with the orders of transfer, is the settled view of Supreme Court.

I am not inclined to interfere with the order of transfer on this ground. However, looking to the personal difficulties of the petitioner, if so advised, the petitioner may file a representation before the concerned authority and if such a representation is filed, the concerned authority shall try to dispose of the same as at the earlies in accordance with law.

With the above observations, the petition is finally disposed of.

Sd/-
Sunil Kumar Sinha
Judge

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